

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Kevin Edral Douglas

Docket No. 5:18-CR-26-H1

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin Edral Douglas, who, upon an earlier plea of guilty to Transmit in Interstate Commerce a Threat to Injure the Person of Another; 18 U.S.C. § 875(c), was sentenced by the Honorable J. Ronnie Greer, U.S. District Judge (ED/TN), on December 12, 2016, to the custody of the Bureau of Prisons for a term of 609 days. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Kevin Edral Douglas was released from custody on December 12, 2016, at which time the term of supervised release commenced. On January 4, 2017, supervision of this case was transferred to the Eastern District of North Carolina.

On January 9, 2018, a Report of Violations was submitted to the Eastern District of Tennessee reporting that the defendant provided a urinalysis on December 21, 2017, that returned positive for marijuana on January 2, 2018. Additionally, as part of the defendant's Conditions of Release, he was aware that he was to abstain from any use of alcohol; however, during a home visit on January 5, 2018, there were several empty beer cans throughout his bedroom. As a result of this non-compliance, the probation office recommended that he be continued in the Surprise Urinalysis Program and allowed to participate in substance abuse treatment without any further action taken by the court. Jurisdiction of this case was also requested and transferred to the Eastern District of North Carolina on January 29, 2018.

On March 22, 2018, a Petition for Action was submitted notifying the court that on March 12, 2018, the defendant provided a urine sample that returned positive for marijuana on March 19, 2018. The defendant was verbally reprimanded for his poor decision to continue using an illegal substance. To address this non-compliance, the probation office recommended that he be allowed to continue in the Surprise Urinalysis Program, substance abuse treatment and the defendant signed a waiver agreeing to complete 10 hours of community service. The court concurred.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Douglas provided a urine sample on September 27, 2018, that returned positive for marijuana on October 6, 2018. To address this new non-compliance, the probation office is recommending that the defendant be continued in the Surprise Urinalysis Program, be placed back into substance abuse treatment and participate in a cognitive behavioral program as directed by the probation office. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Maurice J. Foy
Maurice J. Foy
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: October 16, 2018

ORDER OF THE COURT

Considered and ordered this 16th day of October, 2018, and ordered filed and made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge

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FOR JUDGE'S VIEW ONLY

DO NOT FILE



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